IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.40046 of 2007

1. YOGENDRA SAH, FATHER LATE JUDAGI SAH
2. GURU PRASAD SAH
3. TUTUN SAH
4. CHANDRA SAH
5. BHARAT SAH

ALL RESIDENT OF VILLAGE-MOHIUDDIN NAGAR, P.S. MOHIUDDIN NAGAR, DISTRICT -SAMASTIPUR

------ **PETITIONERS**

Versus

1. THE STATE OF BIHAR
2. RAM UDGAR PASWAN, S/O JAGESHWAR PASWAN, RESIDENT OF VILLAGE- MOHIUDDIN NAGAR, P.S. MOHIUDDIN NAGAR, DISTRICT-SAMASTIPUR

----- **OPP.PARTIES.**

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4 19-12-2008 No one appears on behalf of the petitioners.

Mr.Surendra Kishore Thakur, the learned counsel for Opp.Party no.2 submits with certified copy of the order of the court of Sessions Judge, Samastipur passed in Cr.Rev. 437 of 2007 and certified copy of the revision petition that the petitioners had submitted mentioning slip with this application as also the aforesaid Revision before the Sessions Court challenging the order dated 30.5.2007.

Apparently, the petitioners are pursuing the two remedies at the same time. It appears from perusal of the ordersheet of Cr.Rev.No.437 of 2007 that on 23.9.2008 notices were directed to be issued on Opp.Party IInd party and from the endorsement in the side discloses that notice was issued on 24.9.2008.

In view of the fact that the petitioners are pursuing two remedies at the same time, this application is dismissed.

(Abhijit Sinha, J)

NKS/-

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